

REMARKSClaim Status

With this amendment claims 1-15 are pending in the present application. Claims 9-15 are newly presented. Claims 2 and 7 have been amended in an editorial manner and without prejudice. No new matter has been added by the amendments.

Claims 1-6 stand rejected as being anticipated by U.S. Patent No. 6,504,571 (Narayanaswami). Claim 7 stands rejected as being unpatentable over Narayanaswami in view of U.S. Patent No. 5,214,757 (Van Wie). Claim 8 stands rejected as being unpatentable over Narayanaswami in view of U.S. Patent No. 6,590,996 (Reed).

Applicant respectfully traverses these rejections.

Claim 1 in view of Narayanaswami

The office suggests that: "it is inherent that as long as watermarking image data acquired by a satellite is performed that watermarking the map must also be performed" (see the July 28, 2003 office action (hereafter "Office Action"), page 3, lines 11-13 of paragraph 4).

Applicant respectfully disagrees.

The office's current position seems to overlook the several watermarking steps recited in claim 1, e.g., watermarking image data, and then watermarking a map generated from a database including the watermarked image data. While Narayanaswami may discuss watermarking image data, it is not understood to teach or suggest watermarking a map generated from a database including the watermarked image data, in combination with the remaining claim 1 features.

The office cites, among other passages, Narayanaswami at Col. 4, lines 7-12 and 32-40 to meet claim 1's generating a map from a database feature. But Narayanaswami

at the cited passages stops short of, after map generation, watermarking the generating map.

Respectfully, claim 1 should be allowed.

Claim 2 in view of Narayanaswami

Applicant notes with interest that the Narayanaswami passages, cited to meet the watermarking feature of claim 2, do not seem to even discuss watermarking.

Again, while Narayanaswami may watermark imagery (see, e.g., Col. 8, lines 6-21 and FIG. 1, item 134) it is not understood to teach or suggest generating a digital map, and then watermarking the map.

Respectfully, claim 2 should be allowed.

Other shortcomings of the art need not be belabored herein.

Claim 7

The cited art combination is not understood to teach or suggest a watermark that is designed to evidence processing when a map is processed in a particular manner.

(Moreover, Applicant objects to the combination of references as proposed by the office. The combination seems to have been made with impermissible hindsight. Applicant reserves the right to even further explore these improprieties on appeal, if needed.)

Claim 7 should be allowed.

Claim 8

Reed is believed to be an improper reference against the present application, since at the time this application was invented, both Reed and this application were owned by or subject to an obligation of assignment to the same entity (i.e., Digimarc Corporation). See, e.g., MPEP 706.02(1)(1). A clear and conspicuous statement is set out below.

As such, Reed should be removed as a reference and claim 8 should be allowed.

Clear and Conspicuous Statement Concerning Common Ownership

U.S. Patent No. 6,590,996 (Reed, et al.) and the subject application (09/800,093) were, at the time the subject invention was made, owned by, or subject to an obligation of assignment to, Digimarc Corporation.

New Claim 9

Neither Narayanaswami nor Van Wie is understood to teach or suggest the combination of features as recited in new claim 9.

In particular, claim 9 recites a method of steganographically embedding auxiliary data in imagery including: receiving imagery including a first geolocation estimate steganographically embedded therein, wherein the first geolocation estimate corresponds to at least one area depicted in the imagery; determining a second geolocation estimate, the second geolocation estimate comprising a more precise geolocation estimate, relative to the first geolocation estimate, for the at least one area depicted in the imagery; and steganographically embedding the second geolocation estimate in the imagery.

Support for this combination can be found throughout the specification including, e.g., page 9, lines 22-29.

Claim 9 stands ready for allowance.

New Claim 12

Neither Narayanaswami nor Van Wie is understood to teach or suggest the combination of features as recited in new claim 12.

For example, these document are not understood to teach or suggest a method of managing imagery, the imagery passing through at least a first system and being received at a second system, the method comprising: receiving the imagery at the second system, the imagery comprising a first digital watermark embedded therein, wherein the first digital watermark was embedded in the imagery by the first system, and wherein the first digital watermark comprises geo-location data associated with at least a first area depicted in the imagery; and while at the second system, embedding a second digital watermark in the imagery, the second digital watermark identifying at least one of the second system and information associated with a geo-location of at least the first area depicted in the imagery.

Support for this combination can be found throughout the specification including, e.g., page 11, lines 7-25.

Claim 12 stand ready for allowance.

Remaining Dependent Claims

The remaining dependent claims are believed patentable in their own right, in addition to being patentable by virtue of being dependent upon allowable base claims.

Information Disclosure Statement

Applicant facsimile filed an Information Disclosure Statement (IDS) and Form 1449 on May 29, 2003. That Form 1449 consisted of two (2) pages. It appears that the Examiner may have inadvertently forgotten to initial the second page of that Form 1449. A copy of the Form 1449 is attached for the Examiner's convenience. Consideration of the documents listed on page 2 of that Form 1449 is respectfully requested.

Applicant is submitting herewith another Information Disclosure Statement and Form-1449. Consideration of the documents listed on the Form-1449 is respectfully requested. (We have listed the documents cited on page two of the above un-initialed Form 1449 for the examiner's convenience.)

Conclusion

The application is believed to be in condition for allowance. An early notice of allowance is respectfully requested. (The remaining shortcomings of the art need not be belabored at this time.).

Nevertheless, the Examiner is invited to telephone the undersigned at 503-495-4575 if any issue remains.

Date: November 19, 2003

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Respectfully submitted,

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